

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JEFFREY KELLY and  
AMIEE KELLY

vs.

PROGRESSIVE ADVANCED  
INSURANCE COMPANY

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CIVIL ACTION

NO. 15-4457

**ORDER**

**AND NOW**, this 4th day of February, 2016, upon consideration of the Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) (Document No. 8), the plaintiffs' response and the defendant's reply, it is **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART**.

**IT IS FURTHER ORDERED** as follows:

1. To the extent the motion seeks to dismiss the claim for violation of the Pennsylvania Unfair Trade Practices and Consumer Protection Law, it is **GRANTED**.
2. The claim for violation of the Pennsylvania Unfair Trade Practices and Consumer Protection Law is **DISMISSED**.
3. In all other respects, the motion is **DENIED**.

/s/Timothy J. Savage  
TIMOTHY J. SAVAGE, J.